

**15A NCAC 02Q .0805 GRAIN ELEVATORS**

- (a) This Rule shall apply to grain elevators that only:
  - (1) receive grain directly from the farm; and
  - (2) clean, dry, grind, or store grain before it is transported elsewhere.
- (b) This Rule shall not apply to:
  - (1) facilities that process grain beyond cleaning, drying, or grinding; or
  - (2) facilities that use:
    - (A) tunnel belts; or
    - (B) head houses and elevator legs vented to cyclonic control devices.
- (c) Potential emissions from grain elevators shall be determined using tons of grain received or shipped, whichever is greater.
- (d) A grain elevator that receives or ships less than 588,000 tons of grain per year shall be exempt from the requirements of 15A NCAC 02Q .0500.
- (e) The owner or operator of a grain elevator that receives or ships:
  - (1) less than 392,000 tons of grain per year shall retain records of annual tons of grain received or shipped at the site. These records shall be made available to Division personnel upon request of the Division; or
  - (2) at least 392,000 but less than 588,000 tons of grain per year shall retain records of annual tons of grain received or shipped at the site and shall submit to the regional supervisor of the appropriate Division regional office, by March 1 of each year, a report containing the following information:
    - (A) the name and location of the grain elevator;
    - (B) the number of tons of grain received and shipped during the previous calendar year; and
    - (C) the signature of a responsible official as defined in 15A NCAC 02Q .0303 certifying as to the truth and accuracy of the report.
- (f) The owner or operator of the grain elevator exempted by this Rule from the requirements of 15A NCAC 02Q .0500 shall provide documentation of annual tons of grain received or shipped to the Director upon request. The owner or operator of a grain elevator exempted by this Rule from the requirements of 15A NCAC 02Q .0500 shall retain records to document annual tons of grain received or shipped for each of the previous three years.
- (g) For facilities governed by this Rule, the owner or operator shall report to the Director any exceedance of a requirement of this Rule within one week of its occurrence.

*History Note: Authority G.S. 143-215.3(a); 143-215.107(a)(10); 143-215.108;  
Eff. August 1, 1995;  
Amended Eff. April 1, 2001; July 1, 1998;  
Readopted Eff. April 1, 2018.*